## Case 1:16-cr-00776-VEC Document 682 Filed 05/25/18 Page 1 of 1



United States Attorney Southern District of New York

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May 25, 2018

## **BY ECF**

The Honorable Valerie E. Caproni United States District Judge Southern District of New York 40 Foley Square New York, New York 10007

Re: United States v. Kaloyeros, et al., S2 16 Cr. 776 (VEC)

Dear Judge Caproni:

The Government writes to respectfully inform the Court and defense counsel that, at trial, the Government will not be proceeding on Counts Three and Five of the S2 Indictment, which charge Steven Aiello, Joseph Gerardi, Louis Ciminelli, and Michael Laipple with paying bribes and gratuities in violation of Title 18, United States Code, Section 666(a)(2).

The Government intends to proceed at trial against the defendants on the remaining counts, specifically, Counts One, Two, Four, Fifteen, and Sixteen of the S2 Indictment.

In view of the above, and pursuant to the Court's Order dated May 3, 2018 (Dkt. No. 647), the Government is enclosing a redacted, trial version of the above-captioned Indictment that reflects the counts that the Government will proceed on at trial and also redacts allegations that relate only to the January trial.

Respectfully submitted,

GEOFFREY S. BERMAN United States Attorney

by: /s/
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Enclosure

cc: Counsel for all defendants (via ECF)